

1 SOLOMON E. GRESEN[SBN: 164783]  
STEVEN V. RHEUBAN [SBN: 48538]  
2 **LAW OFFICES OF RHEUBAN & GRESEN**  
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5 Attorneys for Plaintiff, Christopher Lee Dunn

via Rep. Ct.  
CITY ATTORNEY  
2010 AUG 17 AM 11:57

6  
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
8 COUNTY OF LOS ANGELES - CENTRAL DISTRICT  
9

10 CHRISTOPHER LEE DUNN,  
11 Plaintiff,  
12 -vs-  
13 CITY OF BURBANK AND DOES 1  
THROUGH 25, INCLUSIVE,  
14 Defendants.  
15

CASE NO.: BC417928

NOTICE OF ERRATA RE DECLARATION  
OF SOLOMON E. GRESEN IN REPLY TO  
OPPOSITION TO PITCHESS MOTION

REPLY DECLARATION OF SOLOMON E.  
GRESEN ATTACHED

DATE: August 20, 2010  
TIME: 8:30 a.m.  
DEPT: 31

Assigned to: Hon. Alan Rosenfield, Judge  
Department 31

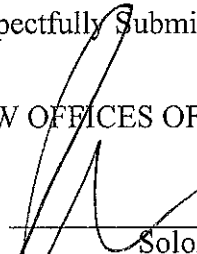
17  
18 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

19 PLEASE TAKE NOTICE that counsel for Plaintiff, Christopher Lee Dunn, inadvertently  
20 failed to attach the deposition excerpts to his Reply to Defendant's Opposition to Plaintiff's Pitchess  
21 Motion, which is scheduled to be heard on August 20, 2010 at 8:30 a.m. in Department 31 of the  
22 above-referenced Court located at 111 N. Hill Street, Los Angeles, California. Attached hereto is a  
23 complete Declaration of Solomon E. Gresen including the exhibits.

24 Respectfully Submitted.

25 Date: August 16, 2010

LAW OFFICES OF RHEUBAN & GRESEN

27 By:   
28 Solomon E. Gresen, Esq.  
Attorneys for Plaintiff, Christopher Lee Dunn

**DECLARATION OF SOLOMON E. GRESSEN**

I, Solomon E. Gressen, declare as follows:

1. I am one of the attorneys for Plaintiff CHRISTOPHER LEE DUNN, a party to the within action. The following facts are true of my own personal knowledge, except those matters stated on information and belief, which I am informed and believe to be true. If called as a witness, I would and could competently testify thereto.

2. This declaration is in support of Plaintiff's Reply to Opposition to Plaintiff's Pitchess Motion.

3. Attached hereto as Exhibit A, and incorporated herein by this reference, is a true and correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Wednesday, January 13, 2010, page 134, lines 8-18.

4. Attached hereto as Exhibit B, and incorporated herein by this reference, is a true and correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Wednesday, January 13, 2010, page 158, lines 19 through page 159, line 10.

5. Attached hereto as Exhibit C, and incorporated herein by this reference, is a true and correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Wednesday, January 13, 2010, page 155 lines 20 through page 156, line 7.

6. Attached hereto as Exhibit D, and incorporated herein by this reference, is a true and correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Wednesday, January 13, 2010, page 139 lines 10 through 15.

7. Attached hereto as Exhibit E, and incorporated herein by this reference, is a true and correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Wednesday, January 13, 2010, page 143 lines 4 through 7.

8. Attached hereto as Exhibit F, and incorporated herein by this reference, is a true and correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Wednesday, January 13, 2010, page 54 lines 1 through 4.

9. Attached hereto as Exhibit G, and incorporated herein by this reference, is a true and correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Wednesday,

1 January 13, 2010, page 88 lines 3 through 14.

2 10. Attached hereto as Exhibit H, and incorporated herein by this reference, is a true and  
3 correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Monday, March  
4 22, 2010, page 314 line 18 through page 315, line 1.

5 11. Attached hereto as Exhibit I, and incorporated herein by this reference, is a true and  
6 correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Monday, March  
7 22, 2010, page 315 line 24 through page 317, line 6.

8 12. Attached hereto as Exhibit J, and incorporated herein by this reference, is a true and  
9 correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Monday, March  
10 22, 2010, page 334 lines 13 through 22.

11 13. Attached hereto as Exhibit K, and incorporated herein by this reference, is a true and  
12 correct copy of the excerpts from the Deposition of Christopher Lee Dunn taken on Monday, March  
13 22, 2010, page 334 lines 22 through page 335 line 16.

14 I declare under penalty of perjury under the laws of the state of California that the foregoing  
15 is true and correct.

16 Dated this 16th day of August, 2010, in the County of Los Angeles, California.

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

No. BC417928

VOLUME I

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

Deposition of CHRISTOPHER LEE DUNN,  
taken at 200 North Third Street,  
Burbank, California, commencing at  
10:12 a.m., Wednesday, January 13, 2010,  
before Susan C. Campana, CSR No. 9573, RPR,  
pursuant to Notice.

PAGES 1 - 173

1 Q. Did you tell Sergeant Duran about this comment?

2 A. No.

3 Q. Did you report the comment to any supervisor?

4 A. No.

5 Q. Remind me, who was your lieutenant in vice at  
6 the time this comment was made? So in 2007.

7 A. J.J. Puglisi.

8 Q. Tell me -- let's just start by people.

9 Tell me the other individuals who have used a  
10 racial slur in your presence.

11 A. Directed towards me or just in my presence?

12 Q. Let's start with directed towards you. But I'm  
13 going to want both.

14 A. "Racial slur" as in an epithet or a statement or  
15 joke?

16 Q. Let me put it to you this way.

17 Anything you consider to be racially offensive.

18 A. Sergeant Yadon.

19 Q. Okay. And I'm going to start with the list of  
20 names.

21 So who else besides Sergeant Yadon?

22 A. Claudio Losacco.

23 Q. Okay.

24 A. Sam -- oh, you said who else. Chris Racina.

25 And that's all.

1 STATE OF CALIFORNIA )  
 ) ss.  
2 COUNTY OF LOS ANGELES )  
3

4 I, Susan C. Campana, a certified shorthand  
5 reporter in and for the state of California do hereby  
6 certify:

7 That the foregoing proceedings were taken before  
8 me at the time and place therein set forth, at which time  
9 the witness was put under oath by me;

10 That the deposition was recorded  
11 stenographically by me and was thereafter transcribed  
12 into typewriting under my direction and supervision and  
13 contains a true and correct transcript of my shorthand  
14 notes so taken.

15 I further certify that I am not related to any  
16 party to said action, nor in any way interested in the  
17 outcome thereof.

18  
19 IN WITNESS WHEREOF, I have hereunto subscribed  
20 my name this 29th day of January, 2010.

21  
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24   
SUSAN C. CAMPANA CSR NO. 9573

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173

## **EXHIBIT B**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

No. BC417928

VOLUME I

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
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pursuant to Notice.

PAGES 1 - 173



1 while you're in SED; right?

2 A. Right.

3 Q. Do you have a sense -- did the California Wok  
4 incident occur before the crosswalk incident?

5 A. No.

6 Q. The crosswalk was first?

7 A. Yes.

8 And I would like to add to the last question. I  
9 did recall something.

10 Q. Okay. Let me -- and I'll asking about that.

11 But just so I'm clear, can you estimate for me  
12 when the crosswalk commentary occurred?

13 A. 2005 to 2006.

14 Q. Okay.

15 A. It was prior to me being in vice/narcotics.

16 Q. Okay. Go ahead.

17 A. You said any comments or -- was your -- your  
18 question; correct?

19 Q. Any comments by Sergeant Yadon that you heard  
20 that you considered to be racially offensive.

21 A. Yes. As I stated with Claudio Losacco, Dan  
22 Yadon was as much a party to the same behavior of using  
23 and mimicking the accents and characteristics of the  
24 speech of certain minorities.

25 Q. And what minorities were those?

1 A. African-Americans and Armenians.

2 Q. And did Dan Yadon do that in your presence?

3 A. Yes.

4 Q. How many times?

5 A. Several times. Many times between him and  
6 Claudio Losacco.

7 Q. Was this also when you were in SED?

8 A. Yes.

9 Q. Did he ever mimic Asians?

10 A. Yes.

11 Q. And what did he do to mimic Asians?

12 A. There was a time where we were doing a -- a vice  
13 sting on massage parlors in the city. And there was a  
14 comment made by him about -- something to the effect of,  
15 "Me love you long time." And similar comments were made  
16 by him before and prior to that regarding that same  
17 movie, "Full Metal Jacket."

18 Q. That's what you were referencing earlier when  
19 you said "movie comments"?

20 A. "Movie phrases." Yes.

21 Q. And this was done in your presence?

22 A. Yes.

23 Q. Was this -- was this also while you were in SED?

24 A. Yes.

25 Q. Okay. With respect to the crosswalk incident,

1 STATE OF CALIFORNIA ) )  
 ) ss.  
2 COUNTY OF LOS ANGELES )  
3

4 I, Susan C. Campana, a certified shorthand  
5 reporter in and for the state of California do hereby  
6 certify:

7 That the foregoing proceedings were taken before  
8 me at the time and place therein set forth, at which time  
9 the witness was put under oath by me;

10 That the deposition was recorded  
11 stenographically by me and was thereafter transcribed  
12 into typewriting under my direction and supervision and  
13 contains a true and correct transcript of my shorthand  
14 notes so taken.

15 I further certify that I am not related to any  
16 party to said action, nor in any way interested in the  
17 outcome thereof.

18  
19 IN WITNESS WHEREOF, I have hereunto subscribed  
20 my name this 29th day of January, 2010.

21

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SUSAN C. CAMPANA CSR NO. 9573

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173

## **EXHIBIT C**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

No. BC417928

VOLUME I

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

Deposition of CHRISTOPHER LEE DUNN,  
taken at 200 North Third Street,  
Burbank, California, commencing at  
10:12 a.m., Wednesday, January 13, 2010,  
before Susan C. Campana, CSR No. 9573, RPR,  
pursuant to Notice.

PAGES 1 - 173

1 else that were of a racial nature?

2 A. No.

3 Q. Anything else that Claudio Losacco said that you  
4 found racially offensive?

5 A. No.

6 Q. And I know you were in SED, but do you have a  
7 sense of when the last comment that you overheard was  
8 made by Claudio Losacco of a race -- racial nature?

9 A. My sense would be right up until he left.

10 Q. So just prior to your transfer into vice?

11 A. Yes. Because he left right when I got there.

12 Q. Have I covered now all of the race-based  
13 comments of Yadon, Losacco, and Anderson?

14 A. No.

15 Q. Okay. So let me -- let me take them one -- I  
16 believe I've covered Losacco; right?

17 A. Yes.

18 Q. And I've covered Anderson?

19 A. Yes.

20 Q. What else did Yadon say?

21 A. On one occasion -- well, let me back up.

22 The vice/narcotics unit liked a restaurant  
23 called the California Wok -- I believe that was the  
24 name -- on Olive and frequented it.

25 There was an occasion where they were going

1 there for lunch, and we were all supposed to go and meet  
2 there after -- after some sort of operation, and I  
3 indicated that I would not -- I didn't want to eat there.

4 And he stated, "What? You don't like your  
5 people's food?"

6 And I said, "Well, I'm not Chinese."

7 And he goes, "Well, it's all the same."

8 He also made several comments that were --

9 Q. Give me just a second before you move on, if you  
10 don't mind.

11 A. Okay.

12 Q. Tell me -- let me just ask you, when -- when was  
13 this?

14 MR. GRESEN: Well, I just do want to object.

15 You ask him an open-ended question, and he has  
16 it in mind, he starts answering, and every time you  
17 interrupt him, perhaps there's information that he was  
18 going to give that -- that, you know, he may not recall  
19 or may not recall it the same way the next time.

20 Q. BY MS. PELLETIER: Okay. I'll tell you what.  
21 You -- you give me your -- go -- go through with your  
22 narratives, and then I'll -- I'll ask you questions  
23 after.

24 Part of that was I just couldn't write fast  
25 enough.

1 STATE OF CALIFORNIA )  
 ) ss.

2 COUNTY OF LOS ANGELES )

3

4 I, Susan C. Campana, a certified shorthand  
5 reporter in and for the state of California do hereby  
6 certify:

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12 into typewriting under my direction and supervision and  
13 contains a true and correct transcript of my shorthand  
14 notes so taken.

15 I further certify that I am not related to any  
16 party to said action, nor in any way interested in the  
17 outcome thereof.

18

19 IN WITNESS WHEREOF, I have hereunto subscribed  
20 my name this 29th day of January, 2010.

21

22

23

24

  
\_\_\_\_\_  
SUSAN C. CAMPANA, CSR NO. 9573

25

173



## **EXHIBIT D**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

No. BC417928

VOLUME I

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

Deposition of CHRISTOPHER LEE DUNN,  
taken at 200 North Third Street,  
Burbank, California, commencing at  
10:12 a.m., Wednesday, January 13, 2010,  
before Susan C. Campana, CSR No. 9573, RPR,  
pursuant to Notice.

PAGES 1 - 173

1 occasions were that it was either -- it was either out of  
2 ignorance, jealousy, or the fact that I exposed them.

3 Q. What had you exposed about Officer Anderson?

4 A. That particular comment was not in reference to  
5 Officer Anderson.

6 Q. Okay. To your knowledge, was Officer Anderson  
7 jealous of you for any reason?

8 A. No.

9 MR. GRESEN: Speculation. Foundation.

10 Q. BY MS. PELLETIER: When is the last conversation  
11 you had with Sergeant Murphy with respect to comments in  
12 the workplace?

13 A. Directly after my confrontation with Sergeant  
14 Yadon.

15 Q. This is in 2006?

16 A. Yes.

17 Q. What occurred during that conversation?

18 A. Well, Sergeant Murphy was a party to that  
19 incident. He was the acting lieutenant, and he refereed  
20 that conversation where I reported some treatment that I  
21 was receiving from Sergeant Yadon. And we had  
22 conversations after the fact regarding that incident.

23 Q. What occurred between you and Sergeant Yadon,  
24 the incident that you're referencing?

25 A. The incident I'm referencing was on a particular

1 STATE OF CALIFORNIA ) )  
 ) ss.  
2 COUNTY OF LOS ANGELES )  
3

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SUSAN C. CAMPANA CSR NO. 9573

25

173

## **EXHIBIT E**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

No. BC417928

VOLUME I

Deposition of CHRISTOPHER LEE DUNN,  
taken at 200 North Third Street,  
Burbank, California, commencing at  
10:12 a.m., Wednesday, January 13, 2010,  
before Susan C. Campana, CSR No. 9573, RPR,  
pursuant to Notice.

PAGES 1 - 173

1 level that I'm not aware -- I'm only aware of by -- by  
2 third party that also contributed to this atmosphere  
3 between Duran and Yadon.

4 Several times Yadon was talked to by  
5 Lieutenant -- at the time Lieutenant Taylor, who even  
6 indicated to me that he was handling the situation and  
7 documenting the problems.

8 Those problems continued until I took the test  
9 that we -- the detective test that we previously  
10 discussed. And then that's when it came to a head, that  
11 I was told by Lieutenant Taylor and Duran in that meeting  
12 that I previously mentioned that they did not want me  
13 there. And the reasons that they did not want me there  
14 weren't -- weren't detailed.

15 Gary Seymour, who was a detective at the time,  
16 was distressed about the fact that Dan Yadon gave him an  
17 official order not to speak with us, not only for the  
18 issue of officer safety, but he actually came over and  
19 told us that this was occurring and said that he was  
20 going to disobey the order. Soon after that, he was  
21 voluntarily transferred out to another unit because he  
22 was so dissatisfied with what was occurring and did not  
23 approve.

24 Q. What was the problem between Yadon and Duran, if  
25 you know?

1 STATE OF CALIFORNIA )  
 ) ss.  
2 COUNTY OF LOS ANGELES )  
3

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19 IN WITNESS WHEREOF, I have hereunto subscribed  
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21  
22

23   
24 \_\_\_\_\_  
SUSAN C. CAMPANA, CSR NO. 9573

25

173



## **EXHIBIT F**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN, )  
 )  
Plaintiff, )  
 )  
vs. ) No. BC417928  
 ) VOLUME I  
BURBANK POLICE DEPARTMENT; )  
CITY OF BURBANK; AND DOES 1 )  
THROUGH 100, INCLUSIVE, )  
 )  
Defendants. )  
 )

Deposition of CHRISTOPHER LEE DUNN,  
taken at 200 North Third Street,  
Burbank, California, commencing at  
10:12 a.m., Wednesday, January 13, 2010,  
before Susan C. Campana, CSR No. 9573, RPR,  
pursuant to Notice.

1 A. My understanding was the fact that Dan Yadon had  
2 been removed from vice/narcotics, Chris Canales then had  
3 expressed his desire to be transferred to that unit.

4 Q. Do you know who made the decision to approve  
5 Chris Canales being transferred to vice?

6 A. No.

7 Q. Did Chris Canales replace anybody in vice?

8 MR. GRESEN: Foundation.

9 You may answer.

10 THE WITNESS: I don't know.

11 Q. BY MS. PELLETIER: Is there a normal complement  
12 of individuals in the vice unit, if you know?

13 A. I don't know.

14 Q. And I know you said you were uncertain of the  
15 order, but let me ask it a different way.

16 Do you have a recollection of who replaced  
17 Sergeant Yadon when he left the vice unit?

18 A. Sergeant Merich. That's why I was -- the order  
19 before I had that question. That helps me recall.

20 Q. During the time that you were a patrol officer,  
21 who was or who were your direct supervisors? I'm just  
22 looking for your immediate supervisors.

23 A. I recall Sergeant Jon Murphy, Sergeant Omar  
24 Rodriguez, Lieutenant Will Berry, Lieutenant Chris  
25 Welker.

1 STATE OF CALIFORNIA )  
 ) ss.

2 COUNTY OF LOS ANGELES )

3

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23

24

  
\_\_\_\_\_  
SUSAN C. CAMPANA, CSR NO. 9573

25

173

## **EXHIBIT G**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

No. BC417928

VOLUME I

Deposition of CHRISTOPHER LEE DUNN,  
taken at 200 North Third Street,  
Burbank, California, commencing at  
10:12 a.m., Wednesday, January 13, 2010,  
before Susan C. Campana, CSR No. 9573, RPR,  
pursuant to Notice.

PAGES 1 - 173

1 (Carol Humiston joins the deposition proceedings.)

2 THE VIDEOGRAPHER: Back on the record at 2:33 p.m.

3 MS. PELLETIER: Thank you.

4 Q. Good afternoon, Mr. Dunn.

5 You were terminated from the Burbank Police  
6 Department in July of 2008; is that correct?

7 A. Yes.

8 Q. And if you need to refresh your recollection on  
9 the date, you can look at paragraph 18 in your complaint.

10 A. Of which page? Oh, it's -- I see it. All  
11 right.

12 Q. And you were terminated following an  
13 investigation that began in the spring of 2007; correct?

14 A. Yes.

15 Q. And the genesis of that investigation was that  
16 the Burbank Police Department got a complaint against you  
17 from the Culver City Police Department; correct?

18 A. Yes.

19 MR. GRESSEN: Foundation. Speculation.

20 Q. BY MS. PELLETIER: And the -- the complaint was  
21 that you tipped off somebody they were targeting in a  
22 criminal investigation; correct?

23 MR. GRESSEN: Same objections.

24 You may answer.

25 THE WITNESS: Yes.

1 STATE OF CALIFORNIA )  
 ) ss.

2 COUNTY OF LOS ANGELES )

3

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21

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23

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SUSAN C. CAMPANA, CSR NO. 9573

25

173



## **EXHIBIT H**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

No. BC417928

VOLUME II

Continued Videotaped Deposition of  
CHRISTOPHER LEE DUNN, taken at  
444 South Flower Street, Suite 2400,  
Los Angeles, California, commencing at  
10:34 a.m., Monday, March 22, 2010,  
before Susan C. Campana, CSR No. 9573,  
RPR.

PAGES 174 - 344



1 A. Yes. According to City documents. 15:25:36

2 Q. Okay. What information do you have that the  
3 Burbank Police Department played any role in Detective or 15:25:49  
4 Deputy, whatever his title is -- let me just get it  
5 right -- Sergeant -- 15:25:56

6 A. Lewandowski.

7 Q. -- Lewandowski's conclusion that probable cause 15:26:01  
8 existed to believe that you committed a crime?

9 MR. GRESSEN: Same objections. 15:26:06

10 THE WITNESS: That, I don't know.

11 Q. BY MS. PELLETIER: Okay. So let's get to -- 15:26:21

12 well, is your contention that --

13 Are you making a contention or is it your 15:26:30  
14 opinion that somehow Burbank did something to influence  
15 the investigation or the fact gathering that we see from 15:26:42  
16 the Culver City Police Department?

17 MR. GRESER: Rifkin objections. 15:26:45

18                    You may answer.

19 Q. BY MS. PELLETIER: In other words, do you -- did 15:26:48  
20 Burbank do something to unduly influence Culver City when  
21 they reached the collusion that you tipped the informant? 15:26:57

22 MR. GRESER: Same objections.

23 THE WITNESS: No. 15:26:59

24 Q. BY MS. PELLETIER: Okay. Did Burbank -- well,  
25 let me strike that. 15:27:07

1 STATE OF CALIFORNIA )

) ss. 16:01:54

2 COUNTY OF LOS ANGELES )

3

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15 I further certify that I am not related to any  
16 party to said action, nor in any way interested in the  
17 outcome thereof.

18

19 IN WITNESS WHEREOF, I have hereunto subscribed  
20 my name this 6th day of April, 2010.

21

22

23

24

  
SUSAN C. CAMPANA, CSR NO. 9573

25

344

## **EXHIBIT I**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

No. BC417928

VOLUME II

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

Continued Videotaped Deposition of  
CHRISTOPHER LEE DUNN, taken at  
444 South Flower Street, Suite 2400,  
Los Angeles, California, commencing at  
10:34 a.m., Monday, March 22, 2010,  
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RPR.

PAGES 174 - 344

1 A. Yes. According to City documents. 15:25:36

2 Q. Okay. What information do you have that the

3 Burbank Police Department played any role in Detective or 15:25:49

4 Deputy, whatever his title is -- let me just get it

5 right -- Sergeant -- 15:25:56

6 A. Lewandowski.

7 Q. -- Lewandowski's conclusion that probable cause 15:26:01

8 existed to believe that you committed a crime?

9 MR. GRESEN: Same objections. 15:26:06

10 THE WITNESS: That, I don't know.

11 Q. BY MS. PELLETIER: Okay. So let's get to -- 15:26:21

12 well, is your contention that --

13 Are you making a contention or is it your 15:26:30

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15 the investigation or the fact gathering that we see from 15:26:42

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17 MR. GRESEN: Rifkin objections. 15:26:45

18 You may answer.

19 Q. BY MS. PELLETIER: In other words, do you -- did 15:26:48

20 Burbank do something to unduly influence Culver City when

21 they reached the collusion that you tipped the informant? 15:26:57

22 MR. GRESEN: Same objections.

23 THE WITNESS: No. 15:26:59

24 Q. BY MS. PELLETIER: Okay. Did Burbank -- well,

25 let me strike that. 15:27:07



1 Paragraph -- do you have any information or 15:27:25  
2 evidence that any of the information that Burbank Police  
3 Department employees provided to the L.A. County 15:27:34  
4 Sheriff's Department was inaccurate?  
5 A. Yes. 15:27:40  
6 Q. And what was that?  
7 A. Based on what I had previously testified to, 15:27:47  
8 that there's indication that one of the individuals, if  
9 not the main individual, who provided documents, 15:27:54  
10 statements, evidentiary material to the sheriffs to  
11 assist with their investigation was Lieutenant Eric 15:28:01  
12 Rosoff.  
13 Q. Okay. 15:28:03  
14 A. At some point during -- I believe it was after  
15 this investigation -- and I think we had covered this in 15:28:08  
16 our -- in my first deposition. I became aware that  
17 Lieutenant Rosoff had illegally attempted to influence 15:28:17  
18 the testimony of a potential witness in my case, an  
19 ongoing criminal investigation by the L.A. County 15:28:23  
20 Sheriff's Office.  
21 Q. And what did -- was Lieutenant Rosoff successful 15:28:27  
22 in interfering in the statements that the witness you're  
23 referring to made to the sheriff's department? 15:28:37  
24 MR. GRESN: Foundation. Speculation.  
25 You may answer. 15:28:41

1 THE WITNESS: Based on the outcome of this 15:28:43  
2 investigation, it's my opinion that he was successful.

3 Q. BY MS. PELLETIER: Okay. Based on the outcome 15:28:49  
4 of the sheriff's department investigation?

5 A. Based on the total -- the total incident, 15:28:57  
6 beginning to end, where it ended in my termination.

7 Q. Okay. So let me just ask you this. 15:29:03

8 The -- so far as you know, Lieutenant Rosoff  
9 only had contact with one Burbank employee who was 15:29:17  
10 interviewed by the sheriff's department; correct?

11 Do you have any information about any other 15:29:23  
12 contacts that Lieutenant Rosoff had with any other member  
13 of the Burbank Police Department before they were 15:29:28  
14 interviewed by the sheriff's department?

15 A. No. 15:29:32

16 Q. Okay. And if I understand you correctly,  
17 there's only one person who Lieutenant Rosoff attempted 15:29:40  
18 to influence in their testimony; is that correct?

19 MR. GRESSEN: Foundation. Speculation. 15:29:45

20 You may answer.

21 THE WITNESS: That I know of. 15:29:46

22 Q. BY MS. PELLETIER: Okay. And what information  
23 do you have that that one person -- let's call him TM -- 15:30:00  
24 gave inaccurate information to the sheriff's department?

25 A. None. 15:30:06

1 STATE OF CALIFORNIA )  
 ) ss. 16:01:54  
2 COUNTY OF LOS ANGELES )  
3  
4

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17 party to said action, nor in any way interested in the  
18 outcome thereof.

19 IN WITNESS WHEREOF, I have hereunto subscribed  
20 my name this 6th day of April, 2010.  
21  
22

23   
24 SUSAN C. CAMPANA, CSR NO. 9573  
25

**EXHIBIT J**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

No. BC417928

VOLUME II

Continued Videotaped Deposition of  
CHRISTOPHER LEE DUNN, taken at  
444 South Flower Street, Suite 2400,  
Los Angeles, California, commencing at  
10:34 a.m., Monday, March 22, 2010,  
before Susan C. Campana, CSR No. 9573,  
RPR.

PAGES 174 - 344

1 A. Yes. 15:52:43

2 Q. Okay. And you left your files in your desk?

3 A. Yes. 15:52:48

4 Q. And who took over your desk?

5 A. Nobody, as far as I know. 15:52:56

6 Q. And how do you know that those --

7 Those weren't your files; right? Those were 15:53:03

8 Burbank files?

9 A. It's a combination of the two. 15:53:07

10 Q. Okay. Why didn't you take --

11 What -- what portion of the files were your 15:53:11

12 files?

13 A. You'd have to be more specific about "files." 15:53:13

14 If you're referring to the burgled files, there's a

15 number of items that were missing, stolen from the 15:53:21

16 office -- the narcotics office and my desk. Two separate

17 locations. 15:53:26

18 Q. Okay. Let's talk about, what of your personal

19 items were stolen? 15:53:36

20 A. It's hard to determine because I was never

21 allowed to go back and find out what was missing. 15:53:43

22 One thing specifically that I know was missing

23 based on what Sergeant Misquez indicated in the internal 15:53:50

24 affairs interview was a set of notes that I prepared

25 shortly after this incident, if not the day -- the second 15:53:58

1 STATE OF CALIFORNIA )

) ss. 16:01:54

2 COUNTY OF LOS ANGELES )

3  
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21  
22  
23   
24 SUSAN C. CAMPANA, CSR NO. 9573

## **EXHIBIT K**



SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHRISTOPHER LEE DUNN,

Plaintiff,

vs.

No. BC417928

VOLUME II

BURBANK POLICE DEPARTMENT;  
CITY OF BURBANK; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

Continued Videotaped Deposition of  
CHRISTOPHER LEE DUNN, taken at  
444 South Flower Street, Suite 2400,  
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RPR.

PAGES 174 - 344

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2 Q. Okay. And you left your files in your desk?

3 A. Yes. 15:52:48

4 Q. And who took over your desk?

5 A. Nobody, as far as I know. 15:52:56

6 Q. And how do you know that those --

7 Those weren't your files; right? Those were 15:53:03

8 Burbank files?

9 A. It's a combination of the two. 15:53:07

10 Q. Okay. Why didn't you take --

11 What -- what portion of the files were your 15:53:11

12 files?

13 A. You'd have to be more specific about "files." 15:53:13

14 If you're referring to the burgled files, there's a

15 number of items that were missing, stolen from the 15:53:21

16 office -- the narcotics office and my desk. Two separate

17 locations. 15:53:26

18 Q. Okay. Let's talk about, what of your personal

19 items were stolen? 15:53:36

20 A. It's hard to determine because I was never

21 allowed to go back and find out what was missing. 15:53:43

22 One thing specifically that I know was missing

23 based on what Sergeant Misquez indicated in the internal 15:53:50

24 affairs interview was a set of notes that I prepared

25 shortly after this incident, if not the day -- the second 15:53:58

1 day that I was notified that -- from Nancy Mercado that I 15:54:03  
2 was under investigation possibly.

3 Q. Uh-huh. 15:54:05

4 A. And those notes were a very good recollection of  
5 what occurred in real time. Being only two weeks old, 15:54:14  
6 I believe they provided an accurate depiction of -- of my  
7 side of the story. Those notes were provided to Sergeant 15:54:22  
8 Duran in which he prepared a memo, which is in the  
9 investigation, to Sergeant -- or Captain Taylor. 15:54:30

10 And when I acknowledged the existence of those  
11 notes to Sergeant Misquez, I believe he actually went and 15:54:36  
12 tried to look for them, and apparently the computer had  
13 been erased, and the notes were missing. I don't know if 15:54:42  
14 he made a correlation between the burglary at that time  
15 or even knew about it because, again, he didn't report 15:54:49  
16 that in the investigation.

17 Q. So you printed out a hard copy of your notes and 15:54:55  
18 gave them to Sergeant Duran?

19 A. Yes. 15:54:57

20 Q. And did you ask Sergeant Duran for those notes?

21 A. No. 15:55:03

22 Q. Have you seen Sergeant Duran deny that that  
23 occurred? 15:55:07

24 A. Yes.

25 Q. Did you print out a hard copy of those notes for 15:55:10

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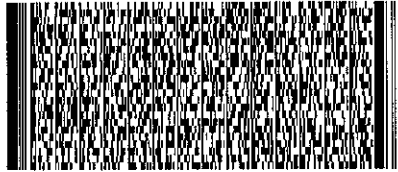
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